



Order Filed on June 4, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-l(b)

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Chapter 11 Debtor and Debtor-in-Possession

In Re:

HITESHRI PATEL,

Chapter 11 Debtor and
Debtor-in-Possession.

Honorable Kathryn C. Ferguson

Chapter 11

Case No. 20-17880-KCF

Hearing Date: June 1, 2021 at 10:00 a.m.

**ORDER MODIFYING FOURTH NOTICE TO TAKE ORAL DEPOSITION AND
PRODUCE DOCUMENTS DIRECTED TO DEBTOR HITESHRI PATEL BY NFS
LEASING, INC. PURSUANT TO FED.R.BANKR.P. 7030 AND 11 U.S.C. §105(a);
SETTING DATES FOR LIMITED DOCUMENT PRODUCTION AND THE
DEPOSITION OF HITESHRI PATEL; AND FOR OTHER RELATED RELIEF**

The relief set forth on the following page, numbered four (4) through four (4), is hereby
ORDERED.

DATED: June 4, 2021


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

Debtor: Hiteshri Patel

Case No. 20-17880-KCF

Caption: Order Modifying Fourth Notice to Take Oral Deposition and Produce Documents Directed to Debtor Hiteshri Patel by NFS Leasing, Inc. Pursuant to Fed.R.Bankr.P. 7030 and 11 U.S.C. § 105(a); Setting Dates for Limited Document Production and for the Deposition of Hiteshri Patel; and For Other Related Relief

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THIS MATTER being brought before the Court on behalf of Hiteshri Patel, Chapter 11 Debtor and Debtor-in-Possession (the "Debtor"), by and through her counsel, Middlebrooks Shapiro, P.C., by way of Motion for Order Quashing Fourth Notice to Take Oral Deposition and Produce Documents Directed to Debtor Hiteshri Patel by NFS Leasing, Inc. Pursuant to Fed. R. Bankr. P. 7030 and 11 U.S.C. § 105(a); and For Related Relief (the "Motion"); and the Court having considered the pleadings filed in support of the Motion; and the Court having further considered NFS Leasing, Inc.'s ("NFS") objection to the Motion; and the Court having further considered oral argument on the Motion; and for good cause shown,

IT IS HEREBY

ORDERED, that:

(1) The Notice to Take Oral Deposition and Produce Documents Directed to Debtor Hiteshri Patel by NFS dated May 17, 2021 (the "Fourth Subpoena"), shall be and is hereby modified pursuant to Fed. R. Bankr. P. 7030 and 11 U.S.C. §105(a).

(2) Debtor consented to production of documents referred to in Paragraph 1 of Schedule A of NFS Leasing, Inc.'s Notice to Take Oral Deposition and Produce Documents dated May 17, 2021 (the "Fourth Subpoena"), specifically "any appraisal of any properties or evidencing any opinion of value for any of the Properties from January 1, 2018 to present" which the Debtor shall produce on or before June 9, 2021.

(3) Demands for documents made by NFS pursuant to Paragraph 2 of Schedule A of the Fourth Subpoena for "all statements for each bank, credit union, savings, checking, or

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investment account held in the Debtor's name individually or jointly and/or maintained or accessible by the Debtor from January 1, 2018 through present" (collectively the "Bank Statements") shall be and is hereby modified to provide for the production by the Debtor of the Bank Statements for the twelve (12) month period preceding June 25, 2020 (the "Petition Date") without the requirement for the Debtor to identify or flag any specific transactions on the Bank Statements, which the Debtor shall produce on or before June 9, 2021.

(4) Demands for documents made by NFS pursuant to Paragraph 3 of Schedule A of the Fourth Subpoena for "[a]ll statements for each credit card in the name of the Debtor individually or jointly or used by the Debtor from January 1, 2018 through present" (the "Credit Card Statements"), shall and is hereby modified to provide for the production of the twelve (12) month period preceding the Petition Date without the requirement for the Debtor to identify or flag any specific transactions on the Credit Card Statements, which the Debtor shall produce on or before June 9, 2021.

(5) Demands for documents made by NFS pursuant to Paragraph 4 of Schedule A of the Fourth Subpoena for "[f]ederal and state tax returns and schedules for each year from 2018 through present filed by the Debtor and any corporate tax returns and schedules for each year from 2018 through present filed by the Debtor and any corporate tax returns for any entity which Debtor has an interest together with all supporting documentation, including without limitation, all W-2's, 1099's, K-1's, Schedule C's and Schedule E's" shall be modified to require production of the Debtor's complete personal tax returns, which shall include all amounts passed through or is otherwise required to be reported from any entity in which Debtor

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has an interest, without production of the underlying supporting documentation, which the Debtor shall produce on or before June 9, 2021.

(6) Demands for documents made by NFS pursuant to Paragraph 5 of Schedule A of the Fourth Subpoena for “[a]ll Documents and Communications concerning the “Securities - stocks / bonds / mutual funds” listed in the Personal Financial Statement for the twelve (12) month period preceding the Petition Date, which the Debtor shall produce on or before June 9, 2021.

(7) NFS shall be and is hereby permitted to conduct the virtual/video deposition of Hiteshri Patel, with the consent of the Debtor, on June 14, 2021 commencing at 9:00 a.m. and concluding no later than 5:00 p.m.

(8) The Debtor's request for reimbursement of attorneys' fees and costs associated with the filing and prosecution of the Motion to Quash NFS' Fourth Subpoena is denied. Nothing contained herein shall be deemed a determination of the fees and costs to be reimbursed to Debtor pursuant to the Order Quashing Third Notice to take Oral Deposition and Produce Documents Directed to Debtor Hiteshri Patel by NFS Leasing, Inc. Pursuant to Fed.R.Bankr.P. 7030 and 11 U.S.C. Section 105(a); and For Related Relief filed May 11, 2021 (Docket No. 181).